

BOARD OF SELECTMEN

April 2, 2007

Chairman Clark called the meeting to order at 7:30PM. Board members present were Stephen Clark, Richard Gandt and John McArdle. Boyd Jackson and Heidi Bond were absent. Of the Selectmen's staff Town Administrator Virginia Wilder, & Donna Rich, Board Secretary, were in attendance. Other persons present were Evelyn Hammond and Jane Schraffa of Topsfield Cable.

Announcements: Chairman Clark announced that the Board would go into executive session at the end of the meeting to discuss the Police Chief Contract, potential litigation regarding the Cell Tower and the Police Reserve Contract and would not return to open session.

Selectmen Minutes: Chairman Clark made a motion to accept the minutes of March 26, 2007 as amended; seconded by Selectman Gandt; so voted 3-0. Chairman Clark made a motion to accept the minutes of the Executive Session of March 26, 2007 as amended and to hold until all issues have been resolved; seconded by Selectman Gandt; so voted 3-0.

OLD BUSINESS:

Marciano v. Moriarty Settlement: Chairman Clark reported that a memo was received from Kopelman & Paige regarding settlement of the suit filed by the Marciano's appealing the decision of the ZBA regarding a permit for construction of a new retail office space at 17-19 Main Street had been settled to everyone's satisfaction.

Warrant Review: Selectman McArdle made a motion to approve the Warrant as written; seconded by Chairman Clark; so voted 3-0. There was discussion regarding the alcohol question being binding or non-binding. Legal counsel has said it should be non-binding.

Route 97 & 35 Intersections: Chairman Clark asked if there were any further details available. Ms. Wilder noted that Representative Speliotis's office had been contacted and we are waiting a response from them.

NEW BUSINESS:

Declaration of Surplus property: The Historical Society Board of Directors sent a letter requesting a large metal, 3-section flat drawer file be declared surplus and then be donated to the Historical Society. Ms. Wilder requested that this postponed until next week to give her time to inquire if any other Town Department might need it.

Beaver Related Flooding & Perkins Row Bridge Beaver Dam: Two letters were received regarding beaver activity, one at 45 Wilmor Rd and one from the Mass Audubon Society. Selectman Gandt reported that the Conservation Commission had gone to 45 Wilmor Rd to meet with Mr. Robert Shamroth. Selectman Gandt explained that the intent at the Perkins Row Bridge project was to remove the dam entirely. The Conservation Commission in June of 2006, authorized approximately half the dam to be removed. The water level is down and the Audubon is concerned that the beavers will continue to build up the dam. Selectman Gandt stated that the purpose of dismantling the dam was to lower the water level for the Winsor Lane area and the Perkins Row well field. Chairman Clark would like to have both letters forwarded to the Surface & Ground Water Study Committee.

Town of Topsfield v. G&R Construction Inc: Chairman Clark made a motion to sign the \$6,500 settlement agreement received from Kopelman & Paige; Selectman Gandt second; so voted 3-0.

Town Administrator's Report:

Please see attached report.

Correspondence & Reports

- Several letters and reports were received
 - Wendy Ryder is interested in volunteering to sit on the Scholarship Committee. Chairman Clark is unclear where there is an open seat and asked for that to be investigated. We will revisit the request at next weeks meeting.
 - Rails/Trails Program, a letter was received from James Callahan with a petition signed by Topsfield citizens regarding the national program and his concerns. Chairman Clark related that there was a lengthy list of serious concerns and that it should be forwarded to the Rails Trail Committee chair Joseph Geller. Selectman Gandt noted that the 52 signatures did not express opposition to the Rails Trails but rather concerns about issues such as child safety and motorized vehicles. He went on to say the trail goes the length of Topsfield from Washington Street to the Danvers line. It was commented that the Rails Trail Committee should ensure that all details are communicated to the citizens. Selectman McArdle corrected Selectman Gandt stating that the trail ends in Wenham, not Danvers; and, that a majority of the residents that signed the petition are from the Parsonage Lane area of town. The committee has rights to the downtown area only.
 - MMA Action Bulletin
 - Election procedures to the MPO
 - MBTA Advisory Board
 - Comcast
 - Tri-Town Council
 - Proposition 2 ½ Referendum Ballot Questions.
 - Conservation Commission
 - Cable TV Advisory Committee
 - Board of Assessors
 - Finance Committee
 - Recent Legislation Concerning County Roads from Kopleman & Paige
 - Cable TV license issuance and Renewal from Kopleman & Paige

Warrants: The Selectmen signed and approved warrants in the amount of **\$355,438.17**. The breakdown is as follows:

Warrant #FY07:	
079T	\$ 64,065.47
079S	\$193,901.55
080	\$ 97,471.15

Executive Session: At 8:10 PM, Chairman Clark entertained a motion to go into executive session to discuss the Police Chief Contract, Police Reserve Contract and potential litigation regarding the cell tower; so moved by Selectman Gandt and seconded by Selectman McArdle. A yes vote was recorded for Selectmen Gandt, Selectmen McArdle and Chairman Clark. The Board would not return to regular session. Virginia Wilder and Donna Rich were present also.

The meeting was adjourned 8:13PM.

Respectively submitted,

Donna Rich, Secretary
Selectmen's Office

Approved at the April 9, 2007 Board of Selectmen meeting.